

**TOWN OF ROCKY HILL  
PUBLIC BUILDINGS COMMISSION  
MEETING OF APRIL 13, 2015**

Present: Chairman Bryan Addy, Vice Chairman Todd Marchand, Commissioner Sal Ganci and Commissioner Jay Kelly. Also present were: Jim Sollmi (Director of Community Development Services), John Mehr (Finance Director), Guy Scaife (Town Manager), Mike Mancini (Director of Facilities for Bd of Ed), Mike Sorano (Friar Associates), Adam Palmer (Friar Associates) (Entered at 5:35 p.m.), Tyson Burk (O & G Industries, Inc.) and Lorel Purcell (O & G Industries, Inc.).

Absent: Commissioner Tom Beaudoin, Commissioner Chris Ford and Commissioner Peter Parrotta.

**1. CALL TO ORDER**

Chairman Addy called the April 13, 2015 meeting of the Public Buildings Commission to order at 5:33 p.m. in the Council Chambers, Town Hall, 761 Old Main Street, Rocky Hill, CT.

**a. Approve Draft Minutes of March 9, 2015**

**Commissioner Kelly made a motion to approve the Minutes of the March 9, 2015 meeting of the Public Buildings Commission. The motion was seconded by Vice Chairman Marchand and adopted unanimously by those present.**

**2. OLD BUSINESS**

**a. RHHS Project – Construction Update**

Tyson Burk said March was a very productive month. The exterior block walls went up. MEPs are being done inside the building for Phase I. The roof is about 95% installed so the building is pretty much watertight at this point. They are getting ready to do the addition on the east side so there has been the demolition of the east side wall. The server room and IT room on the main level are getting outfitted with a date of May 1, 2015 for a turnover date. Site work is ongoing so they are starting to see a building coming together. He asked if anyone had any specific questions. Commissioner Ganci asked what drop-dead date is being predicted for the envelope. Tyson Burk thinks right now that this will be mid-May to the end of May. Chairman Addy asked if a generator is still being used for the lights. Tyson Burk said that was installed on April 6, 2015 and they also have a generator for backup emergency power if needed. Chairman Addy asked if they knew when this is going to be permanently powered up for the lighting controls for the football field. Tyson Burk said this will be sometime in July when they get power in the

building. Chairman Addy asked if any other Commissioners had any questions and they had none.

**b. RHHS – Project – Change Order Update**

Chairman Addy asked if this Commission had a set of Change Orders that they needed to approve. Finance Director Mehr told the Commissioners that he had just handed those out to them this evening so those should be approved by them at some point in time. There are listings of numerous ECOs rolled up into Change Orders # 4 and # 5. Tyson Burk said Change Orders # 1, # 2 and # 3 were the Value Engineering ones. Chairman Addy said this Commission hasn't approved anything since then. He asked if Change Orders # 4 and # 5 have been through the Subcommittees and Finance Director Mehr said they have been approved by the appropriate ones. Chairman Addy said he was looking at the winter conditions and it appears, as was discussed, that this is currently coming out of the CM Contingency but this could be funded out of the Owner's Contingency. Tyson Burk said correct. Commissioner Ganci asked Finance Director Mehr if the ones that are listed are the ones that have been approved and signed off on. Finance Director Mehr said yes. Chairman Addy said some of these Change Orders are ones that this Commission hasn't seen. He told Tyson Burk that these seem to be internal between him and his subs and he asked him if those are coming out of his contingency. Tyson Burk said yes but everything over \$20,000 would go to this Commission's Subcommittee. Chairman Addy said these have been through the proper channels already so he didn't see any issue with approving them. Commissioner Ganci said they have reviewed some of these quickly with them. Chairman Addy referred to PCO #59 on Change Order # 5 and he asked if that is different than the one they have been talking about. Tyson Burk said that has been settled and the one that isn't on this is the soccer field lighting because that isn't resolved. Commissioner Ganci asked which PR # is still open or he asked if that is the one they are talking about now. Tyson Burk said that is for the soccer field lighting and it is still open. Commissioner Ganci asked Tyson Burk if he is still waiting for answers back from Dicin Electric. Tyson Burk said yes and that is for the type of conduit.

**Commissioner Ganci made a motion to approve Change Order # 4 and Change Order # 5. The motion was seconded by Vice Chairman Marchand and adopted unanimously by those present. (Please see the First Attachment.)**

Chairman Addy asked Finance Director Mehr if these will go to the Government Operations Committee/School Buildings Committee. Finance Director Mehr said everything discussed with this Commission will be on the Government Operations Committee's next agenda and that Committee will be meeting on the first Monday of next month.

**c. West Hill School Sprinkler Project – Change Order Update**

Chairman Addy asked if there was any update on the Change Orders for this and he asked if there are deadlines with regards to getting things squared away with the State. Tyson Burk said there are deadlines with the State and this is six months after the last Change Orders are signed but the last Change Orders for this project have not been signed yet. They have been going back and forth with G. Donovan & Associates a couple of times and they have a recent set of

information that they need to review as a group because they still aren't comfortable with the rates. Commissioner Ganci asked how long these have been outstanding for. Tyson Burk thinks the work was completed in July and the Change Orders have been out since September. Commissioner Ganci asked if they just can't get this done and "put it to bed" because this would close out the whole project. Tyson Burk said correct because everything else is done. Finance Director Mehr said some State reimbursement has been received on this but they are looking to close this project out and get their final reimbursements. He thinks they have received \$265,000 related to the sprinkler project. Most of what they are talking about (with regards to the Change Orders) relates to auxiliary work. Tyson Burk said most of this is for the service for the sprinklers. Chairman Addy asked if he could take a look at that information and Tyson Burk told him that he will forward that to him. Commissioner Ganci asked if they are basically down to one Change Order. Tyson Burk said there are five Change Orders for the same item.

### **3. NEW BUSINESS**

#### **a. Steven's School Sprinkler Project – Update**

Adam Palmer said they have tried twice to get this project signed off by the State but the State immediately put a stop to the review as soon as they found out that the elevator will be new square footage to the building. The State said this would be an extension to the project and not just a code upgrade one. They are still in the process of getting a review, which should be either tomorrow or Wednesday, from the State's Legal Department. They are caught in a game of semantics with the State because they don't want to set a precedent to allow square footage to be added but not have it written down as added square footage. He had gone to the State last Wednesday and he went back today. He got "shot down" on not being able to have a review but the State seems hopeful that they will get the approval and that the elevator will be considered part of the code upgrade project so that this won't have to be funded in next year's priority list of projects as being an extension one. The State doesn't want to approve this project and give them approval to go to bid and then decide later that the elevator can be counted as being eligible. The plan was to list this elevator as just being ineligible so that they could go out to bid and start moving towards construction this summer but it would be a nightmare to have the elevator moved from the ineligible column to the eligible one. The State feels it is safer to make them wait and they will accommodate them to get it right in once they get the answer so that they can review everything. The letters can just be handed off to the State with regards to them seeing that the local officials did review the drawings and that the comments that were given by the local officials have been addressed. The State would then give them the approval to go out to bid. They are at a standstill now.

Chairman Addy said they had wanted to have this teamed up with the sprinklers so that they could get the reimbursement. Adam Palmer said he will keep people in the loop as more information becomes available. Jim Sollmi asked Adam Palmer if he thinks they will lose two or three weeks because of this. Adam Palmer said at least two weeks. Jim Sollmi asked if there will be a way of compressing something at the other end to make up for this. Adam Palmer doesn't think that O & G Industries, Inc. would be comfortable in compressing the bid schedule because then people won't give this the proper investigation to give good numbers. Chairman Addy said everyone is unfortunately filling up their summer schedule already. Commissioner

Ganci asked what will happen if they can't get this finished in a timely fashion this summer and he asked if they could push this to next summer. Lorel Purcell said this will not be finished this summer. Mike Sorano said the critical path work for the summer is the abatement. Adam Palmer said the abatement work would be for the sprinklers and then it would be the building out of the shell for the elevator, as well as the new exterior door, so that there will be as little impact as possible for the kids when they come back to school. The sprinklers and elevator both have milestone dates that will need to be met for the end of the summer. Commissioner Ganci asked what the duration will be for the abatement and he asked if the whole summer would be needed. Mike Sorano said that will take one week. Lorel Purcell said the problem is the long lead items. The elevator will drive the foundations because they can't start the shaft until they have approval on the elevator. The sprinklers require shop drawings that will have to be reviewed by the Fire Marshal and the Engineers so the soonest that construction will be started will be towards the end of July. This would be based on them not losing two weeks. This is becoming that more and more of this project will be done while school is in session. They are also getting out there really late for bidding for summer work. The choices are that they can do something this summer and then proceed during the school year. A meeting will be set up with the school for them to see if they can stay in some areas during the school day or see if they can work at night. They are assuming that this will be a five month construction period at this point as opposed to just the summer. Commissioner Ganci asked what this will be impacting exactly if this happens during the school day. Lorel Purcell said she isn't sure if the Fire Marshal is aware that they are looking to have something done on second shift and if this has been vetted through him to see if they can work second shift. Chairman Addy asked Mike Mancini if his department would take care of that and he said yes. Commissioner Ganci asked about the effect on the Staff and students. Lorel Purcell said the impact really wouldn't be noticed but this would be noticed if they try to use the school on second shift. She doesn't know how often this school is used after hours.

Chairman Addy asked how they got to this situation. Adam Palmer said this project was approached as if the elevator is a code requirement. The only logical solution is for them to put the elevator where they did and they approached this as them not adding building square footage per the existing building code. The State immediately said they weren't doing the review when they found out that there is added square footage. He said they have been trying to do whatever they can to fix this. Chairman Addy asked if they are talking about the Education Department when they are saying State. Mike Sorano said this is the Department of Administrative Services and the State Department of Education. Their Attorney has this right now. The State has defined "building area" as working directly with the building code's interpretation of that. Part of the building code states that when something like an elevator, etc. is added for a code upgrade that this doesn't extend the building area that is in non-conformance. They used that to state that this is a building code requirement and the project will be delayed for a year for absolutely no reason if it is moved over to the priority list because square footage is not being added by their own definition. Some code reviewers at the State feel they are "towing the line" and they wanted to get a legal interpretation. This will either be approved and they can move on their way with them losing a week or the elevator will be moved to an ineligible cost if this isn't approved so that they can proceed with this project and make the proper grant application for next year. The payment would then be delayed for one year. The original grant application included this elevator addition and he said they should have been notified a long time ago probably if the State

was going to make this kind of judgment. Friar Associates was shocked like they are and they acted appropriately on behalf of the Town.

Chairman Addy referred to the Project Cost Proposal Form and he asked Finance Director Mehr if that was more informational or if they needed to go over anything. (Please see the Second Attachment.) Finance Director Mehr said that is informational. Chairman Addy confirmed with Mike Mancini that a couple of other projects are going on but those aren't under this Commission. Mike Mancini referred to a couple of other projects. Finance Director Mehr said those are out to bid. He told the Commission that he could give them a couple of copies of the plans that they could sign out and take home if they wanted to look at them.

#### **4. ANY OTHER BUSINESS**

Chairman Addy said he e-mailed the Commissioners about how the Charter Review Committee has approached this Commission to look for ideas on how they could modify the language in the Town Charter relating to this Commission that will better serve the Town. This would be as far as how they operate, etc. so he told the Commissioners to review the Town Charter that he had sent them. Commissioner Ganci asked Chairman Addy if he wants all of their recommendations to go through him and he said yes.

#### **5. CORRESPONDENCE, COMMUNICATIONS**

There was none.

#### **6. BILL PAYMENT RECOMMENDATIONS**

Chairman Addy said there are five total invoices for the RHHS project.

##### **a. Friar Associates, Inc.**

**Commissioner Kelly made a motion to approve the payment of Friar Associate's invoice in the amount of \$13,875. The motion was seconded by Commissioner Ganci and adopted unanimously by those present. (Please see the Third Attachment.)**

##### **b. O & G Industries, Inc.**

**Commissioner Ganci made a motion to approve the payment of O & G Industries, Inc.'s Payment Application # 7 in the amount of \$1,918,003.23. The motion was seconded by Vice Chairman Marchand and adopted unanimously by those present. (Please see the Fourth Attachment.)**

##### **c. Consulting Engineering Services (CES)**

**Commissioner Kelly made a motion to approve the payment of Consulting Engineering Services, Inc.'s payment in the amount of \$2,925. The motion was seconded by**

**Commissioner Ganci and adopted unanimously by those present. (Please see the Fifth Attachment.)**

**d. EnviroMed Services**

**Vice Chairman Marchand made a motion to approve the payment of EnviroMed Services, Inc.'s invoice in the amount of \$630 and invoice in the amount of \$17,802. The motion was seconded by Commissioner Kelly and adopted unanimously by those present. (Please see the Sixth Attachment.)**

**7. ADJOURN**

**Commissioner Kelly made a motion to adjourn the meeting at 6:06 p.m. The motion was seconded by Vice Chairman Marchand and adopted unanimously by those present.**

Respectfully submitted,

Jo-Anne Booth  
Recording Secretary